

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA

In re:

Case No.: 2:08-bk-14091-JMM

DEMPSTER JACKSON and MARY JACKSON  
*Debtor(s)*

Chapter: 13

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Genos Williams  
*Plaintiff(s)*

Adversary No.: 2:10-ap-00291-JMM

v.

DEMPSTER JACKSON  
et al.  
*Defendant(s)*

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**TRIAL SCHEDULING ORDER**

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A complaint and answer have been filed. Good cause appearing, **IT IS HEREBY ORDERED** that the following schedule and trial information shall apply to this matter:

**Discovery Deadline:**

**30 days before trial**

**Dispositive Motions Deadline:**

**75 days before trial**

**Joint Pretrial Statement Due Date:**

**seven days before trial**

Specifics concerning such schedule follow.

### **Discovery**

All discovery, including answers to interrogatories and supplements to interrogatories, must be completed **no later than 30 days prior to the trial check-in date**. This order contemplates that each party will conduct discovery in such a manner as to complete it within the deadline set. Motions for protective order will not be considered unless counsel attaches the required affidavit under Local District Court Rule 1.10(j), setting forth the efforts made to accomplish amicable resolution.

### **Dispositive Motions.**

All dispositive motions, for either partial or complete relief (such as Motion for Summary Judgment), shall be filed **no later than 75 days before trial**. Hearings on dispositive motions shall be set by contacting the Courtroom Deputy by telephone. Counsel shall be responsible for filing and serving notice of such hearing. Motions will be scheduled as provided by the Rules of Procedure. A late-filed Motion will not be cause to delay or extend the trial setting.

### **Joint Pretrial Statement**

A joint pretrial statement shall be submitted **no later than one week before trial**. If a joint pretrial statement cannot be submitted, unilateral pretrial statements, which shall include an affidavit of counsel setting forth the unsuccessful efforts to obtain and complete a joint pretrial statement, shall be filed no later than 5 days (including weekends and holidays) after the deadline for filing a joint pretrial statement. If dispositive motions have been filed, then the pretrial statement(s) shall be due as indicated or 30 days following resolution of the motions, whichever is later. A form of joint pretrial statement is attached for ease of reference.

### **Extensions For Good Cause Only**

All of the deadlines above may be extended for good cause shown. Motions for extensions which are not supported by good cause will not be granted.

### **Trial**

The trial on this matter is set for the week of **9/22/10** at 230 N. First Avenue, 6th Floor, Courtroom 602, Phoenix, AZ before the Honorable James M. Marlar.

### **Estimated Trial Length**

The Court estimates that the time needed for trial is not more than **four hours**. If the parties believe that additional trial time is necessary, then, within 30 days of receipt of this Scheduling Order, counsel shall file and serve a request for enlargement of the trial time setting forth the amount of time needed for trial together with a statement of the reason(s) additional time is needed.

### **Exhibits**

An exhibit book or copies of exhibits for the Court is appreciated, but not required.

### **Trial Briefs**

A trial memorandum may be filed at any time through the conclusion of the trial. Filing of such a memorandum by any party shall not delay the ruling in the case, nor shall it, without the Court's permission, extend to the non-filing party any type of extension or response period.

**Date:** March 30, 2010

BY THE COURT

**Address of the Bankruptcy Clerk's Office:**

U.S. Bankruptcy Court, Arizona  
230 North First Avenue, Suite 101  
Phoenix, AZ 85003-1727  
Telephone number: (602) 682-4000  
[www.azb.uscourts.gov](http://www.azb.uscourts.gov)

HONORABLE James M. Marlar  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re: Chapter [\_\_] Proceedings  
[Name of Debtor(s)] Case No. [case no]–TUC–JMM  
Debtor[s].

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[Name of Plaintiff(s)] Adversary No. [\_\_]

Plaintiff[s],

vs.

JOINT PRE–TRIAL STATEMENT

[List all Defendant(s)]

Trial Week: 00/00/00

Defendant[s].

The Plaintiff(s) and Defendant(s) hereby submit this Joint Pre–trial Statement with respect to the Complaint for  
\_\_\_\_\_ commenced in the  
above–captioned proceeding.

Concise Statement of the Nature of the Action

Statement of Jurisdiction

Statement of Uncontested Issues of Material Fact

Statement of Contested Issues of Material Fact

Statement of Contested Issues of Law

List of Exhibits To Be Offered At Trial and Objections

List of Witnesses To Be Called At Trial

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Counsel for Plaintiff(s)

\_\_\_\_\_  
Counsel for Defendant(s)